

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

BILLY MARQUIS, ET AL.,

Plaintiffs,

v.

KHOSROW SADEGHIAN and AMY JO  
SADEGHIAN,

Defendants.

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**CIVIL ACTION NO. 4:19-CV-00626-RWS**

**ORDER**

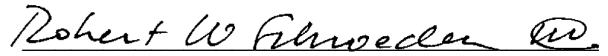
Before the Court is Plaintiffs' Amended Motion for Conditional Certification of Collective Action (Docket No. 27) and Defendants' Motion to Dismiss the Case with Prejudice (Docket No. 94). The Magistrate Judge entered proposed findings of fact and recommended that Plaintiffs' motion be denied (Docket No. 107) and similarly entered proposed findings of fact and recommended that Defendants' motion be denied (Docket No. 108) (collectively with Docket No. 107, "Reports and Recommendations"). Neither party has filed any objections to the Reports and Recommendations.

Because no objections to the Reports and Recommendations have been filed, neither party is entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, they are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C § 636(b)(1)(C); *Douglass v. United Services Automobile Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

Nonetheless, the Court has reviewed the Plaintiffs' motion (Docket No. 27) and Defendants' motion (Docket No. 94) and the Magistrate Judge's Reports and Recommendations and agrees with the Reports and Recommendations. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) ("[T]he statute permits the district court to give to the magistrate's proposed findings of fact and recommendations 'such weight as [their] merit commands and the sound discretion of the judge warrants.' ") (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). It is thus

**ORDERED** that Plaintiff's Amended Motion for Conditional Certification of Collective Action (Docket No. 27) is **DENIED WITHOUT PREJUDICE** and Defendants' Motion to Dismiss the Case with Prejudice (Docket No. 94) is **DENIED**.

**SIGNED this 26th day of February, 2021.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE